



*United States Attorney  
Eastern District of New York*

SCJ: TAD  
F.#2011R00933

*271 Cadman Plaza East  
Brooklyn, New York 11201*

September 23, 2011

**By ECF and Electronic Mail**

John T. Riely, Esq.  
4405 East West Highway, Suite 601  
Bethesda, Maryland 20814

**Re: United States v. Marcello Capone  
Criminal Docket No. 11-CR-456 (ENV)**

Dear Mr. Riely:

Pursuant to Title 18, United States Code, Section 3500, the government hereby furnishes the enclosed material with respect to the upcoming trial in the above-referenced case.

In an abundance of caution, we also enclose three additional documents: a photograph of the defendant, which was taken when he attempted to enter the United States on May 24, 2011; a TECs record concerning the defendant; and a computer-generated form that was filled out by the primary Customs and Border Protection Officer who encountered the defendant.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

LORETTA E. LYNCH  
United States Attorney

By: /s/  
Tiana A. Demas  
Assistant U.S. Attorney  
(718) 254-6116

Encls.

cc: Clerk of Court (by ECF, w/o encls.)